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Attorneys for Defendant
WALGREEN CO.

E-FILED - 10/4/07

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAIMYO CHEN, an individual,)	Case No. C:06-CV-07435 RMW (HRL)
)	
Plaintiff,)	(Assigned for all purposes to the Honorable
)	Ronald M. Whyte)
v.)	
)	
WALGREEN CO., an entity of unknown origin)	STIPULATION AND []
and DOES 1 through 25, inclusive,)	ORDER OF DISMISSAL
)	
Defendant(s).)	
)	
)	
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)	

IT IS HEREBY STIPULATED by and between the parties to this action and through
Plaintiff Daimyo Chen and Defendant's designated counsel that the above-captioned action be

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1 and hereby is dismissed with prejudice pursuant to FRCP 41(a)(1).

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5 Dated: September 28, 2007

SEYFARTH SHAW LLP

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7 By /s/ Daniel Fazio
Diana Tabacopoulos
Daniel J. Fazio
8 Attorneys for Defendant
9 WALGREEN CO.

10 Dated: September 28, 2007

UNITED EMPLOYER'S LAW GROUP,
P.C.

11
12 By /s/ Bruce Davis
Bruce Davis
13 Walter Haines
14 Attorneys for Plaintiff
DAIMYO CHEN

15 I hereby attest that I have on file all holographic signatures for any signatures indicated by a
16 "conformed" signature (/s/) within this efiled document. /s/ Daniel J. Fazio
17

18 **[] ORDER**

19 IT IS SO ORDERED.
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21
22 DATED: 10/4/07

Ronald M. Whyte
23 Honorable Ronald M. Whyte
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PROOF OF SERVICE

STATE OF CALIFORNIA)
)
 COUNTY OF LOS ANGELES) Ss

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Seyfarth Shaw LLP, 2029 Century Park East, Suite 3300, Los Angeles, California 90067-3063. On October 1, 2007, I served the within documents:

STIPULATION AND [PROPOSED] ORDER OF DISMISSAL

☐ I sent such document from facsimile machine (310) 201-5219 on _____. I certify that said transmission was completed and that all pages were received and that a report was generated by facsimile machine (310) 201-5219 which confirms said transmission and receipt. I, thereafter, mailed a copy to the interested party(ies) in this action by placing a true copy thereof enclosed in sealed envelope(s) addressed to the parties listed below.

☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.

☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

☐ by placing the document(s) listed above in a sealed Federal Express envelope with postage paid on account and deposited with Federal Express at Los Angeles, California, addressed as set forth below.

☐ by transmitting the document(s) listed above, electronically, via the e-mail addresses set forth below.

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United States District Court
 Northern District of California
 ADR Program
 450 Golden Gate Avenue, 16th Floor
 San Francisco, CA 94102

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same

1 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
2 motion of the party served, service is presumed invalid if postal cancellation date or postage
meter date is more than on day after the date of deposit for mailing in affidavit.

3 I declare that I am employed in the office of a member of the bar of this court whose
4 direction the service was made.

5 Executed on October 1, 2007, at Los Angeles, California.

6 /s/ Lora Calma
7 **LORA CALMA**
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